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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,684	09/28/2000	Neal Goldstein	PM 12607	7405

7590 06/06/2003

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Ninth Floor  
Washington, DC 20005-3918

EXAMINER
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BROWN, TIMOTHY M

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 06/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/672,684

Applicant(s)

GOLDSTEIN ET AL.

Examiner

Tim Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 103***

1. Claims 1-27 have been examined.

***Priority***

2. Applicants' claim for priority under 35 U.S.C. §119(e) to provisional application 60/156,814 has been acknowledged.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Lupien et al. (US 5,101,353) ("Lupien").**

Lupien anticipates the claimed invention by disclosing an electronic commerce system, which comprises:

a plurality of customer facing systems, each of said customer facing systems including means for processing customer orders and means for processing customer inquiries, and each of said customer facing systems having associated therewith authoritative data that is writable to by said customer facing system and read-only data (Abstract; col. 3, lines 37-42; col. 6, lines 15-20; col. 7, lines 27-30; col. 11, lines 47-; and col. 12, lines);

a plurality of street side systems, each of said street side systems including means for executing orders received from a customer facing system, and each of said street side

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systems having associated therewith authoritative data that is writable to by said street side system and read-only data (col. 3, lines 50-57; col. 6, lines 60-65; and col. 7, lines 15-19);

means for replicating data records written to said authoritative data of any one of said street side and systems to the authoritative data of each of the other street side systems (col. 3, lines 50-57);

means for replicating data records written to said authoritative data of any one of said customer facing systems to the authoritative data of each of the other customer facing systems (Abstract).

Lupien further teaches a firm side system having associated therewith authoritative data that is writable to by said firm side system and read-only data; means for replicating data written to said authoritative data of said firm side system to the read-only data of said customer facing system and said street side system; means for replicating data records written to said authoritative data of said customer facing systems to said read-only data of said firm side system; and means for replicating data records written to said authoritative data of said street side system to said read-only data of said firm side system. Col. 9, lines 43-67.

Lupien further teaches said means for processing customer orders including: means for creating a transaction record for said order; and means for writing said transaction record to the authoritative data associated with said customer facing system. Id.

Finally, Lupiean teaches said means for responding to customer inquiries further comprising means for aggregating transaction records in said authoritative data associated with said customer facing system to determine status of a transaction. Id.

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Mori et al. (US 5,880,446) 9 March 1999, discloses a system for performing a financial transaction comprising a an offer-side client, a purchase-side client and a settlement-side client wherein the financial transaction is distributed to each client through a communication network.

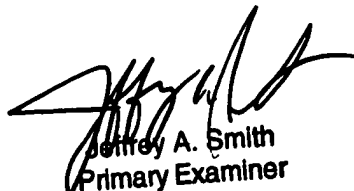
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Brown whose telephone number is (703) 305-1912. The examiner can normally be reached on Monday - Friday, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (703) 308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Tim Brown  
Examiner  
Art Unit 3625

TB  
June 2, 2003

  
Jeffrey A. Smith  
Primary Examiner